



IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Tobagi et al.

SERIAL NUMBER: 09/853,816

FILING DATE: May 11, 2001

TITLE: System and Method for Controlling Data Transfer Rates  
on a Network

EXAMINER: Man U. Phan

ART UNIT: 2665

ATTY. DKT. NO.: PA1689US

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Dated: September 16, 2005

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Applicants declare, in accordance with 37 C.F.R. § 1.97(e)(2), that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after having made a reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the information disclosure statement.

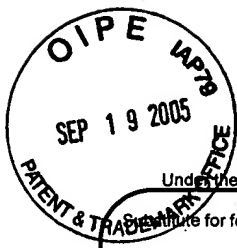
The Examiner is requested to make these references of official record in this application. The references cited may be material to examination of the application and are submitted in compliance with Applicants' duty of disclosure as defined by 37 C.F.R. § 1.56.

No representation is made or intended as to the completeness of this list, nor is the inclusion of any reference on this list an admission that it is prior art or pertinent to this application. No fee is due with this submission.

Respectfully submitted,  
Fouad A. Tobagi et al.

Dated: September 16, 2005

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STATEMENT BY APPLICANT**

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**Complete if Known**

Application Number	09/853,816
Filing Date	May 11, 2001
First Named Inventor	Tobagi
Art Unit	2665
Examiner Name	Man U. Phan
Attorney Docket Number	PA1689US

Sheet	1	of	1
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**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Federal Standard 1037C: Glossary of Telecommunications Terms: Network Interface Device (access Sept. 16, 2005)	
		Newton's Telecom Dictionary (2004 20th Ed.): Network Controller	
		Newton's Telecom Dictionary (2004 20th Ed.): Network Interface Card	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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